

Appl. No.: 09/868,874
Amdt. Dated: December 10, 2003
Reply to Office Action of: June 10, 2003

REMARKS/ARGUMENTS

Amendments

In the specification, the title has been amended to more closely correspond with the invention as disclosed and claimed.

In the claims, Claim 24 has been amended to place it in independent form. No substantive change is made or intended. Claims 25, 26, 28, 29, and 31 are amended to depend from claim 24. Claims 1-23 and 38-40 are canceled.

Grounds for Allowance

Claim 24 has been amended so as to be in independent form. The Examiner has indicated that claim 24 is allowable if rewritten in independent form, and that claims 35-37, which depend from claim 24, are allowable but for dependence on a rejected base claim. Accordingly, the amendment to claim 24 has placed claims 24 and 35-37 in condition for allowance.

Additionally, claims 25, 26, 28, 29, and 31 have been amended to depend from claim 24. Further, claim 27 depends from claim 26, claim 30 depends from claim 29, and claims 32-34 depend directly or indirectly from claim 31. Accordingly, the amendments presented herein have placed claims 25-34 in condition for allowance also.

Claims 41-44 stand rejected as anticipated by Seino. Seino teaches the use of “folded waveguides” in which a reflective device or surface reflects light propagating in one waveguide down a second waveguide. Although Seino acknowledges that some back reflection may be difficult to avoid, Seino nonetheless teaches that it should be avoided. See, e.g., Figs 8A and 8B and column 7, lines 31-40. Claim 41, in contrast, recites the steps of “switching said line optical channel to a first arm of the second polarization splitter” and “reflecting said line optical channel back through the switch via the first arm.” Accordingly, Seino does not teach or suggest the recited steps of claim 41, but rather teaches away from these steps. Similar argument applies with equal force to claim 42-44 which each include, directly or by reference, similar limitation(s).

Claims 41-44 also stand rejected as obvious over Schmid '555 in view of Chang. It is respectfully submitted that the recited method if claims 41-44 is not inherent from the disclosure of Schmid '555 in view of Chang. Schmid '555 discloses a four-port acousto-optical device utilizing no reflectors and no circulators, while Chang discloses a two-port acousto-optical device using one reflector and one circulator. Chang does not teach or suggest adding a reflector and a circulator to a four-port device. And even assuming, for sake of argument, that Chang suggests adding a reflector and a circulator to a four-port device, Chang does not teach where and in what manner the reflector and circulator could or should be added to produce a device that would inherently perform the recited method. Similar argument applies with equal force to claim 42-44 which each

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include, directly or by reference, similar limitation(s). Accordingly, it is respectfully submitted that the cited references do not adequately support a rejection of claims 41-44, and that no *prima facie* case for rejection of these claims has been made, and that claims 41-44 are in condition for allowance.

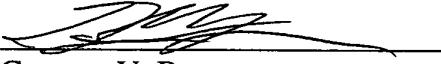
Based upon the above amendments, remarks, and the papers of record, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant submits herewith a request for extension of time to make this Reply timely. Should the request for extension be found insufficient or otherwise in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Greg Bean at (607) 974-2698.

Respectfully submitted,

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